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Paper No. 27

SWANSON & BRATSCUN LLC
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HIGHLANDS RANCH, CO 80129

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JUL 29 2003

In re Application of
Michael J. Natan et al
Application No. 09/677,203
Filed: October 2, 2000
Attorney Docket No. PSU 00-2182C

: OFFICE OF PETITIONS
:
: DECISION GRANTING PETITION
: UNDER 37 CFR 313(c)(2)
:

This is a decision on the petition, filed by facsimile transmission on July 28, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on April 8, 2003 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

Upon receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 1741 for processing of the request for continued examination under 37 CFR 1.114.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).



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Paper No. 28

Date : July 29, 2003
TO : Director, Office of Patent Publication
FROM : Office of the Deputy Commissioner
for Patent Examination Policy
SUBJECT : Withdrawal from Issue of **Application No. 09/677,203**


Applicant(s) : Michael J. Natan et al
Application No. : 09/677,203
Filed : October 2, 2000

The above-identified application has been assigned Patent No. 6,602,393 and an issue date of August 5, 2003.

It is hereby directed that this application be withdrawn from issue at the request of the applicant. Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of August 5, 2003:

"All reference to Patent No. 6,602,393 to Michael J. Natan et al of California for METHOD OF MANUFACTURE OF COLLOIDAL ROD PARTICLES AS NANOBAR CODES appearing in the Official Gazette of August 5, 2003 should be deleted since no patent was granted."


Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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